



## **DEPARTMENT OF LABOR**

### **Occupational Safety and Health Administration**

**[Docket No. OSHA-2006-0040]**

#### **SGS North America, Inc.: Applications for Expansion of Recognition**

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Notice.

**SUMMARY:** In this notice, OSHA announces the applications of SGS North America, Inc. for expansion of its scope of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the Agency's preliminary finding to grant the applications.

**DATES:** Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before **[INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Submit comments by any of the following methods:

1. Electronically: Submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for making electronic submissions.
2. Facsimile: If submissions, including attachments, are not longer than 10 pages, commenters may fax them to the OSHA Docket Office at (202) 693-1648.
3. Regular or express mail, hand delivery, or messenger (courier) service: Submit comments, requests, and any attachments to the OSHA Docket Office, Docket No. OSHA-2006-0040, Technical Data Center, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-2625, Washington, DC 20210; telephone: (202) 693-2350 (TTY

number: (877) 889-5627). Note that security procedures may result in significant delays in receiving comments and other written materials by regular mail. Contact the OSHA Docket Office for information about security procedures concerning delivery of materials by express mail, hand delivery, or messenger service. The hours of operation for the OSHA Docket Office are 8:15 a.m. - 4:45 p.m., e.t.

4. Instructions: All submissions must include the Agency name and the OSHA docket number OSHA-2006-0040. OSHA places comments and other materials, including any personal information, in the public docket without revision, and these materials will be available online at <http://www.regulations.gov>. Therefore, the Agency cautions commenters about submitting statements they do not want made available to the public, or submitting comments that contain personal information (either about themselves or others) such as Social Security numbers, birth dates, and medical data.

5. Docket: To read or download submissions or other material in the docket, go to <http://www.regulations.gov> or the OSHA Docket Office at the address above. All documents in the docket are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the web site. All submissions, including copyrighted material, are available for inspection at the OSHA Docket Office. Contact the OSHA Docket Office for assistance in locating docket submissions.

6. Extension of comment period: Submit requests for an extension of the comment period on or before **[INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]** to the Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management,

Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-3655, Washington, DC 20210, or by fax to (202) 693-1644.

**FOR FURTHER INFORMATION CONTACT:** Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-3647, Washington, DC 20210; telephone: (202) 693-1999; email: meilinger.francis2@dol.gov.

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-3655, Washington, DC 20210; phone: (202) 693-2110 or email: robinson.kevin@dol.gov.

## **SUPPLEMENTARY INFORMATION:**

### **I. Notice of the Applications for Expansion**

The Occupational Safety and Health Administration is providing notice that SGS North America, Inc. (SGS), is applying for expansion of its current recognition as an NRTL. SGS requests the addition of three (3) recognized testing and certification sites and thirty-nine (39) additional test standards to its NRTL scope of recognition.

OSHA recognition of an NRTL signifies that the organization meets the requirements specified in 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within its scope of recognition and is not a delegation or grant of government authority.

Recognition enables employers to use products approved by the NRTL to meet OSHA standards that require product testing and certification.

The Agency processes applications by an NRTL for initial recognition and for an expansion or renewal of this recognition, following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the Agency publish two notices in the Federal Register in processing an application. In the first notice, OSHA announces the application and provides its preliminary finding. In the second notice, the Agency provides its final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational web page for each NRTL, including SGS, which details the NRTL's scope of recognition. These pages are available from the OSHA web site at

<http://www.osha.gov/dts/otpc/nrtl/index.html>.

Each NRTL's scope of recognition includes: (1) The type of products the NRTL may test, with each type specified by its applicable test standard; and (2) the recognized site(s) that has/have the technical capability to perform the product testing and product-certification activities for test standards within the NRTL's scope.

SGS currently has six facilities (sites) recognized by OSHA for product testing and certification, with its headquarters located at: SGS North America, Inc. 620 Old Peachtree Road, Suwanee, Georgia 30024. A complete list of SGS sites recognized by OSHA is available at <https://www.osha.gov/dts/otpc/nrtl/sgs.html>.

## **II. General Background on the Applications**

SGS submitted four applications, two dated September 24, 2014 (OSHA-2006-0040-0025), and two dated October 1, 2014 (OSHA-2006-0040-0026 and OSHA-2006-0040-0028), to expand its recognition to include the addition of three recognized testing and

certification sites located at: SGS Tecnos S.A., C/. Trespaderne 29, Edificio Barajas 1, 28042 Madrid - Spain; SGS Fimko, Ltd., Sarkiniementie 3, FI-00210 Helsinki, Finland; and SGS Baseefa Limited, Rockhead Business Park, Staden Lane, Buxton SK17 9RZ, United Kingdom. Amendments to the October 1, 2014, applications were received on January 14, 2015 (OSHA-2006-0040-0027), and June 16, 2016 (OSHA-2006-0040-0029). These applications requested the addition of 49 additional test standards to SGS's scope of recognition, in addition to the three testing and certification sites. OSHA staff performed detailed analysis of the application packets and on-site reviews of SGS's testing facilities on August 5, 2015, at SGS Madrid, August 13, 2015, at SGS-Baseefa and August 17, 2015, at SGS-Fimko, in which the assessors found some nonconformances with the requirements of 29 CFR 1910.7. SGS addressed these issues sufficiently, and OSHA staff preliminarily determined that OSHA should grant the applications to expand SGS's recognition to include the three additional recognized testing sites and 39 of the 49 requested standards.

Table 1 below lists the appropriate test standards found in SGS's applications for expansion for testing and certification of products under the NRTL Program.

**Table 1****Proposed List of Appropriate Test Standards for Inclusion in SGS's NRTL****Scope of Recognition**

<b>Test Standard</b>	<b>Test Standard Title</b>
UL 1741	Inverters, Converters, Controllers and Interconnection System Equipment for Use in Distributed Energy Resources
UL 6142	Small Wind Turbine Systems
UL 763	Motor-Operated Commercial Food Preparing Machines
UL 775	Graphic Arts Equipment
UL 1004-1	Rotating Electrical Machines – General Requirements
UL 2089	Vehicle Battery Adapters
ISA 60079-0	Explosive Atmospheres – Part 0: Equipment – General Requirements
ISA 60079-1	Explosive Atmospheres – Part 1: Equipment Protection by Flameproof Enclosures “d”
ISA 60079-2	Explosive Atmospheres – Part 2: Equipment Protection by Pressurized Enclosures “p”
ISA 60079-5	Explosive Atmospheres – Part 5: Equipment Protection by Powder Filling “q”
ISA 60079-6	Explosive Atmospheres – Part 6: Equipment Protection by Liquid Immersion “o”
ISA 60079-7	Explosive Atmospheres – Part 7: Equipment Protection by Increased Safety “e”
ISA 60079-11	Explosive Atmospheres – Part 11: Equipment Protection by Intrinsic Safety “i”
ISA 60079-15	Explosive Atmospheres – Part 15: Equipment Protection by Type of Protection “n”
ISA 60079-18	Explosive Atmospheres – Part 18: Equipment Protection by Encapsulation “m”
ISA 60079-26	Explosive Atmospheres – Part 26: Equipment for Use in Class I, Zone 0 Hazardous (Classified) Locations
ISA 60079-28	Explosive Atmospheres – Part 28: Protection of Equipment and Transmission Systems Using Optical Radiation, Edition 1.1
ISA 60079-31	Explosive Atmospheres – Part 31: Equipment Dust Ignition Protection by Enclosure “t”
UL 1203	Explosion Proof and Dust-Ignition-Proof Electrical Equipment for Use in Hazardous (Classified) Locations
UL 1574	Track Lighting Systems
UL 2108	Low Voltage Lighting Systems
UL 8750	Light Emitting Diode (LED) Equipment for Use in Lighting Products
UL 60745-1	Hand-Held Motor-Operated Electric Tools – Safety – Part 1: General Requirements

<b>Test Standard</b>	<b>Test Standard Title</b>
UL 60745-2-1	Hand-Held Motor Operated Electrical Tools – Safety – Part 2-1: Particular Requirements for Drills and Impact Drills
UL 60745-2-2	Particular Requirements for Screwdrivers and Impact Wrenches
UL 60745-2-3	Particular Requirements for Grinders, Polishers and Disk-Type Sanders
UL 60745-2-4	Particular Requirements for Sanders and Polishers Other Than Disk Type
UL 60745-2-5	Particular Requirements for Circular Saws
UL 60745-2-6	Particular Requirements for Hammers
UL 60745-2-8	Particular Requirements for Shears and Nibblers
UL 60745-2-9	Particular Requirements for Tappers
UL 60745-2-11	Particular Requirements for Reciprocating Saws
UL 60745-2-12	Particular Requirements for Concrete Vibrators
UL 60745-2-13	Hand-Held Motor-Operated Electric Tools – Safety – Part 2-13: Particular Requirements for Chain Saws
UL 60745-2-14	Hand-Held Motor-Operated Electric Tools – Safety – Part 2-14: Particular Requirements for Planers
UL 60745-2-15	Hand-Held Motor-Operated Electric Tools – Safety – Part 2-15: Particular Requirements for Hedge Trimmers
UL 60745-2-16	Hand-Held Motor-Operated Electric Tools – Safety – Part 2-16: Particular Requirements for Tackers
UL 60745-2-17	Hand-Held Motor-Operated Electric Tools – Safety – Part 2-17: Particular Requirements for Routers and Trimmers
UL 62368-1	Audio/Video, Information and Communication Technology Equipment – Part 1: Safety Requirements

### **III. Preliminary Finding on the Applications**

SGS submitted acceptable applications for expansion of its scope of recognition. OSHA’s review of the application files and its detailed on-site assessments indicate that SGS can meet the requirements prescribed by 29 CFR 1910.7 for expanding its recognition to include the addition of three sites and these 39 test standards for NRTL testing and certification listed above. This preliminary finding does not constitute an interim or temporary approval of SGS’s applications.

OSHA welcomes public comment as to whether SGS meets the requirements of 29 CFR 1910.7 for expansion of its recognition as an NRTL. Comments should consist of

pertinent written documents and exhibits. Commenters needing more time to comment must submit a request in writing, stating the reasons for the request. Commenters must submit the written request for an extension by the due date for comments. OSHA will limit any extension to 10 days unless the requester justifies a longer period. OSHA may deny a request for an extension if it is not adequately justified. To obtain or review copies of the exhibits identified in this notice, as well as comments submitted to the docket, contact the Docket Office, Room N-2625, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address. These materials also are available online at <http://www.regulations.gov> under Docket No. OSHA-2006-0040.

OSHA staff will review all comments to the docket submitted in a timely manner and, after addressing the issues raised by these comments, will recommend to the Assistant Secretary for Occupational Safety and Health whether to grant SGS's applications for expansion of its scope of recognition. The Assistant Secretary will make the final decision on granting the applications. In making this decision, the Assistant Secretary may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7.



OSHA will publish a public notice of this final decision in the Federal Register.

**Authority and Signature**

David Michaels, Ph.D., MPH, Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue, NW., Washington, DC 20210, authorized the preparation of this notice. Accordingly, the Agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 1-2012 (77 FR 3912, Jan. 25, 2012), and 29 CFR 1910.7.

Signed at Washington, DC, on July 15, 2016.

**David Michaels,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

**BILLING CODE: 4510-26-P**

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